

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIFE TECHNOLOGIES CORPORATION
AND APPLIED BIOSYSTEMS, LLC

vs.

BIOSEARCH TECHNOLOGIES, INC.,
ET AL.

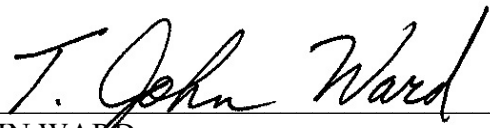
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CASE NO. 2:09-CV-283-TJW-CE

ORDER

Pending before the court is defendants Biosearch Technologies, Inc. and Eurofins MWG Operon Inc.'s ("Defendants") objections to and motion to reconsider the court's September 30, 2010 order denying defendants' motion to transfer venue (Dkt. No. 122). The court has carefully considered the evidence and arguments presented in both Defendants' motion, Plaintiffs' response, and Defendants' supplemental brief. The court concedes that its consideration of defendant Midland Certified Reagent Co., Inc. ("Midland Certified") was inappropriate in light of the fact that Midland Certified had been dismissed at the time the order was issued. The court, however, concludes that even without considering Midland Certified's presence in the State of Texas, the balance of the § 1404(a) *forum non conveniens* factors still weighs against transfer. As such, the court overrules all of Defendants' objections apart from the court's consideration of Midland Certified, and DENIES Defendants' motion for reconsideration.

SIGNED this 16th day of June, 2011.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE